

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:**

**DIMAS A. SANCHEZ BORGES  
ELBAMARIE VAZQUEZ MARTINEZ  
Debtor (s)**

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\*  
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**CASE NO. 13-07003 MCF  
CHAPTER 13**

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**NOTICE OF FILING AMENDED CHAPTER 13 PAYMENT PLAN**

**TO ALL CREDITORS AND PARTIES IN INTEREST:**

Notice is hereby given that debtor (s) filed the attached amended chapter 13 plan dated January 8, 2014.

**IN ACCORDANCE WITH FRBP 1017, FRBP 2002, AND FRBP 9013, AND LOCAL GENERAL ORDER NO. 97-01, THE DEBTORS, ALL CREDITORS AND PARTIES IN INTEREST IN THIS CASE, ARE HEREBY NOTIFIED THAT UNLESS AN OPPOSITION TO THIS MOTION IS SUBMITTED IN WRITING WITHIN 14 DAYS FROM THE DATE APPEARING IN THE CERTIFICATE OF SERVICE, INFRA, THE COURT MAY GRANT THIS MOTION, WITHOUT A HEARING.**

**/s/ Jacqueline E. Hernandez Santiago  
JACQUELINE E. HERNANDEZ SANTIAGO  
USDC-PR 203007  
P. O. BOX 366431  
SAN JUAN, PR 00936-6431  
TELS. (787) 766-0570 /(787) 946-7522**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

*Jimas A. Sánchez Borges*  
*Elbamarie Vaizquez Martínez*  
DEBTOR(S)

BK. CASE # *13-07003 (MCF)*

CHAPTER 13

*Amended*

CHAPTER 13 PAYMENT PLAN

**NOTICE:** • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. • This plan does not allow claims. Any disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:  
☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: \_\_\_\_\_

☒ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: *January 8 / 2014.*

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

III. DISBURSEMENT SCHEDULE SEQUENCE

I. PAYMENT PLAN SCHEDULE

\$ *500* x *60* = \$ *30,000*  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
TOTAL = *60* \$ *30,000*

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from

☐ Sale of property identified as follows:

☐ Other: \_\_\_\_\_

Periodic Payments to be made other than and in addition to the above.

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_ 0

To be made on: \_\_\_\_\_

PROPOSED PLAN BASE: \$ *30,000*

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

- a. Rule 2016(b) Statement: \$ *3,000*
- b. Fees Paid (Pre-Petition): (\$ *0*)
- c. R 2016 Outstanding balance: \$ *3,000*
- d. Post Petition Additional Fees: \$ *0*
- e. Total Compensation: \$ *3,000*

Signed: \_\_\_\_\_

DEBTOR

*Elbamarie Vaizquez*  
JOINT DEBTOR

A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.  
☐ Secured creditors will retain their liens and shall be paid as follows:

☐ ADEQUATE PROTECTION Payments: Cr. \_\_\_\_\_ \$ \_\_\_\_\_

☒ Trustee will pay secured ARREARS:

Cr. *\* Doral Bank* Cr. *Brisas del Mar* Cr. \_\_\_\_\_  
Acct. \_\_\_\_\_ Acct. *Homeowner Assoc.* Acct. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ *(17-1)* \$ \_\_\_\_\_

☐ Trustee will pay REGULAR MONTHLY PAYMENTS:

(please refer to the above related notice, for important information about this provision)

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
Acct. \_\_\_\_\_ Acct. \_\_\_\_\_ Acct. \_\_\_\_\_  
Monthly Pymt. \$ \_\_\_\_\_ Monthly Pymt. \$ \_\_\_\_\_ Monthly Pymt. \$ \_\_\_\_\_

☐ Trustee will pay IN FULL Secured Claims:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

☐ Trustee will pay VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

☐ Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan:

Cr. \_\_\_\_\_ Ins. Co. \_\_\_\_\_ Premium: \$ \_\_\_\_\_  
(Please indicate in "Other Provisions" the insurance coverage period)

☒ Debtors agree to lift of stay in favor to BPPR Special Loans claim #12-1

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to:

*\* Doral Bank, Brisas del Mar Homeowner Assoc. and JSD recipients, Assume and Virgin Suarez*

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1322 (a)(2)].

☒ Assume

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify Claims.

☐ Class A: ☐ Co-debtor Claims: ☐ Pay 100% / ☐ "Pay Ahead": \_\_\_\_\_

☐ Class B: ☐ Other Class: \_\_\_\_\_

☐ Cr. \_\_\_\_\_ ☐ Cr. \_\_\_\_\_ ☐ Cr. \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ \_\_\_\_\_)

☐ Will be paid 100% plus \_\_\_\_\_ % Legal Interest. ☒ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

ANY POST-PETITION INCOME TAX REFUND THAT THE DEBTOR(S) RECEIVE DURING THE TERM OF THE PLAN WILL BE USED TO FUND THE PLAN. AFTER ITS CONFIRMATION, AND WITHOUT FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED BY INCREMENT(S) TO ITS BASE, IN AN AMOUNT EQUAL TO THE AMOUNT OF EACH INCOME TAX REFUND.

ATTORNEY FOR DEBTOR

JACQUELINE E. HERNANDEZ SANTIAGO, ESQ.

Phone: (787) 751-1836

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

IN RE: \*  
DIMAS A. SANCHEZ BORGES \* CASE NO. **13-07003** MCF  
ELBAMARIE VAZQUEZ MARTINEZ \* CHAPTER **13**  
DEBTORS \*  
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**AMENDED CHAPTER 13 PAYMENT PLAN DATED JANUARY 8, 2014**

**OTHER PROVISIONS:**

1. \*Doral Bank will be paid in accordance with the Loan Modification being requested by debtor.
2. Trustee will not make disbursements to BPPR as to claim #12-1 under the plan.
3. Debtor agrees for the lift of stay to ARBM and PR Business Development and Trustee will not make any disbursement to this creditors.

## ***CERTIFICATE OF SERVICE***

***I DO HEREBY CERTIFY*** that on this date I electronically filed a true and exact copy of the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

ALEJANDRO OLIVERAS RIVERA	<a href="mailto:aorecf@ch13sju.com">aorecf@ch13sju.com</a>
ANDREW JIMENEZ CANCEL	<a href="mailto:aorecf@ch13sju.com">aorecf@ch13sju.com</a>
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WALLY DE LA ROSA VIDAL	<a href="mailto:wdeklarosa@cfse.gov.pr">wdeklarosa@cfse.gov.pr</a>

***I DO HEREBY FURTHER CERTIFY*** that on the same date a true and exact copy of the foregoing has been sent by regular United States mail to Debtor, **Dimas A. Sanchez Borges and Elbamarie Vazquez Martinez, PMB 213, P. O. Box 64000, Cayey, PR 00737** and to the following:

AAA	
PO BOX 70101	(3778721)
SAN JUAN, PR 00936	(cr)

AEE	
PO BOX 363508	(3778722)
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AJs FOOD DISTRIBUTORS	
PMB 699 497 EMILIANO POLL AVE	(3778723)
SAN JUAN, PR 00926	(cr)

ALLIED WASTE	
PO BOX 9001099	(3778724)
LUISVILLE, KY 40290	(cr)

AMERICAN EXPRESS	
POB 3001	(3778725)
MALVERN, PA 19355-0701	(cr)

American Express TRS Co Inc Latin American	
Division	
c/o Becket and Lee LLP	(3843336)
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PO BOX 71316 (3778729)  
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**Banco Popular de Puerto Rico Special Loans**  
Migdalia Effie Guasp, Esq. (3813353)  
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<b>DEPARTAMENTO DE HACIENDA</b> PO BOX 9024140, OFIC 424-B SAN JUAN, PR 00902	(3778745) (cr)
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**PORTFOLIO RECOVERY ASSOCIATES, LLC**  
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**PR BUSINESS DEVELOPMENT CORP.**  
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**PR DEPARTMENT OF LABOR**  
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**SEARS**  
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CAGUAS, PR 00725 (cr)

**State Insurance Fund Corporation**  
PO Box 365028 (3813082)  
San Juan, Puerto Rico 00936-5028 (cr)

*In San Juan, Puerto Rico this 8<sup>th</sup> day of January, 2014.*

*/s/ Jacqueline E. Hernandez Santiago*

*JACQUELINE E. HERNANDEZ SANTIAGO, ESQ.*

*ATTORNEY FOR DEBTORS (S)*

*USDC-PR 203007*

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